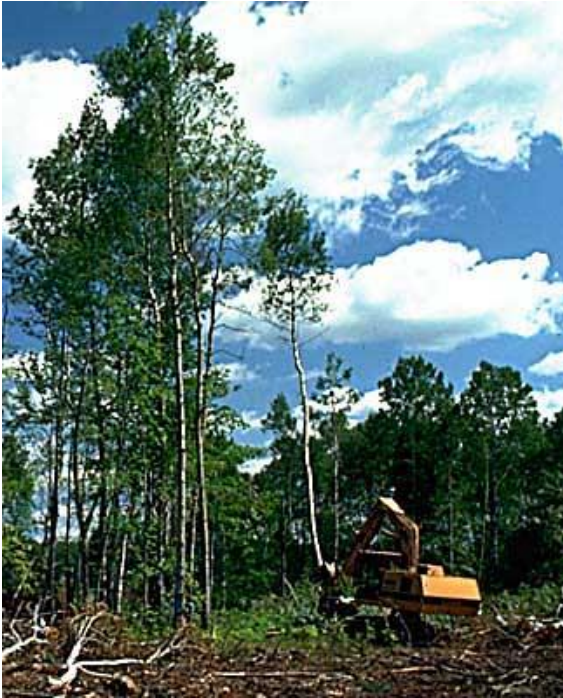




## Minnesota Counties Sustainable Forest Management Package for Field Operators





# Table of Contents

- 1. Management and Communication ..... 3**
  - 1.1 Responsible Operator List ..... 3
    - 1.1.1 Suppliers..... 3
  - 1.2 Qualifications for Responsible Operators ..... 3
  - 1.3 Insurance ..... 3
  - 1.4 Compliance with Legal Requirements and Voluntary Guidelines ..... 4
  - 1.5 Pre-work Meetings..... 4
    - 1.5.1 Pre-Work Meetings with the Contract Administrator ..... 4
  - 1.6 Project Plans..... 5
  - 1.7 Inspections..... 5
  - 1.8 Significant Non-Conformances..... 5
  - 1.9 Reporting to the Land Department Contract Administrator ..... 5
- 2. Summary of Key Policies and Procedures ..... 7**
  - 2.1 Sustainable Forest Management Policy ..... 7
  - 2.2 Threatened and Endangered Species..... 7
  - 2.3 Field Emergency Preparedness and Response..... 8
  - 2.4 Fuel Management, Lubricants and other Chemicals..... 8



# 1. Management and Communication

## 1.1 Responsible Operator List

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The Responsible Operator List is designed to assure the certification program the independent contractors conducting work on Land Department managed lands are responsible for meeting the needs of the Sustainable Forest Management System (SFMS).

**You must be on the Responsible Operator List to qualify to bid on a Timber Sale, to conduct logging operations on Land Department managed lands or, to otherwise provide services for the Land Department.**

To become a responsible operator you need to fill in the Responsible Operator Application Form and satisfy the qualifications and insurance requirements (see Section 1.2 below).

### 1.1.1 Suppliers

Suppliers who deliver products or provide services on a worksite on Land Department managed lands such as equipment mechanics or fuel suppliers do not need to be on the Responsible Operator List, however, they must be under your administration while conducting any activities on the worksite and you are responsible for ensuring that their activities do not contravene Land Department requirements and providing direction in the event of any emergency.

## 1.2 Qualifications for Responsible Operators

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Any person or company may apply to be on the Responsible Operator List.

All Responsible Operators must have the appropriate training, experience, licenses and/or certification to conduct the work activities that are the subject of a contract with the Land Department. Qualification requirements for the Responsible Operator List are identified in the Responsible Operator Application Form provided in the Forms section. The basic requirements are as follows:

- Logging operators must have at least one person on site with appropriate Minnesota Logger Education Program (MLEP) training or equivalent;
- Anyone applying chemicals on our Land Department managed lands must be a Licensed Pesticide Applicator.

## 1.3 Insurance

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No Field Operator may commence work on Land Department Managed Lands until they show satisfactory proof of insurance. Field Operators should carry the following insurance (see each individual County's contractual language for insurance requirements). Specific information on minimum dollar limits required will be defined in the text of the Contract:

- **Workers Compensation** insurance covering all employees meeting statutory limits in compliance with the applicable state and federal laws. The coverage must include Employers' Liability with limits defined in the Contract.
- **Comprehensive General Liability:** insurance with a defined minimum limit per occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability.

This shall include Premises and Operations; independent contractors; Products and Completed Operations (if applicable); Contractual Liability; "XC" Hazard Liability (if applicable); Personal Injury Liability; Aircraft and Watercraft Liability (if applicable);

#### **1.4 Compliance with Legal Requirements and Voluntary Guidelines**

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The Land Department is committed to ensuring that all operations conducted on the lands it manages comply with legal requirements and with the State of Minnesota Voluntary Site Level Forest Management Guidelines (Voluntary Guidelines).

**All field operators who conduct work activities on our lands must be aware of and be in compliance with applicable laws and regulations and with the Voluntary Guidelines that apply to their work activities.**

All operators are to comply with Land Department contract requirements, operating procedures, Project Plans, and directions given from Land Department personnel during the course of work on our lands.

The General Requirements Section of the contracts emphasizes the importance of compliance with laws and regulations and the Voluntary Guidelines.

During inspections, internal and external audits, Land Department personnel will be checking for compliance with laws and regulations, Voluntary Guidelines, and Land Department requirements and procedures.

#### **1.5 Pre-work Meetings**

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##### **1.5.1 Pre-Work Meetings with the Contract Administrator**

All field operators must meet with the Land Department Contract Administrator to conduct a pre-work meeting prior to commencing any work on the site.

The Contract Administrator will walk the site with the Field Operator and/or the foreman and will review the following:

- Pre-work Checklist;
- Project Plan;
- Site map and ensure that boundaries and reserves are clearly noted on the map and understood.
- Land Department contract requirements including performance measures;
- Applicable Land Department procedures;
- Issues related to access, timing of activities and sensitivity of neighboring landowners;
- Special features or conditions of concern on the site (e.g., resource features, sensitive sites, work windows, etc.);
- All project documents to ensure permits and approvals are in place;
- Operational logistics (e.g., crew composition, scheduling, transportation, communication, specific machinery, etc.);
- Agree on the location of landings and skid trails and other key areas.
- Verify emergency response equipment.
- Discuss any concerns and agree to any changes in the Project Plan.

The Contract Administrator will provide copies of all pertinent information to the Field Operator and inform the Field Operator that all field employees must be informed of this information.

The Contract Administrator will have the Field Operator or Foreman, sign-off on the Pre-Work Checklist that the pre-work meeting was held and all pertinent issues were covered and understood.

## **1.6 Project Plans**

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An Operator may have work instructions and procedures from companies in the areas that are third party certified however, ensure that everyone on the worksite understands that when working on Land Department managed lands, it is our procedures and requirements that apply.

## **1.7 Inspections**

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Land Department personnel will regularly inspect and document all work conducted on Land Department managed lands. If, because of an inspection, Land Department personnel find a significant issue that is not in conformance with our procedures, contract requirements, or project plan, Land Department personnel may issue you a request to initiate corrective action. In the corrective action request, a time frame is stipulated where the corrective action is expected to be completed.

Failure to complete the requested corrective action may result in the Land Department undertaking or conducting the work at your expense.

The Land Department is committed to working with Field Operators to improve performance and maintain good working relations with the Land Department.

Persistent trends of poor performance or significant non-conformance may result in the Land Department taking corrective action as deemed appropriate.

Annually, trend information related to issues of concern occurring on Land Department managed lands is summarized and reviewed.

## **1.8 Significant Non-Conformances**

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Where a non-conformance with Land Department requirements is identified, Field Operators will be given a written notice of unsatisfactory performance.

If the Land Department determines that the non-conformance is significant they may do one or more of the following:

- Require the Field Operator and/or the Land Department to implement appropriate corrective action;
- Invoke any remedy or penalty outlined in the Contract;
- Terminate the Contract;
- Place the Responsible Operator in a probationary status;
- Remove the Field Operator from the Responsible Operator List; and
- Take any legal action necessary, up to and including civil and criminal charges.

## **1.9 Reporting to the Land Department Contract Administrator**

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The following should be reported immediately or as soon as practicable to the Contract Administrator:

- If you see anything that is **not in the Project Plan**, such as previously unidentified seeps, springs, potential rare and endangered species nesting sites, or cultural features such as burial sites, old camps or homesteads, or potential archeological sites.

- If **excessive site damage is or will** occur due to high moisture (rutting, compaction, erosion).
- If you have done anything that is **not in the Project Plan or is outside a site boundary**.
- **Any complaints or inquiries you receive** regarding the activities on the site or Land Department activities. The Land Department has a procedure to ensure that we provide timely and complete responses to any inquiries or complaints related to our activities.
- **Any emergency events such as accidents, fires, and spills AFTER you have notified the proper authorities.**



## 2. Summary of Key Policies and Procedures

### 2.1 Sustainable Forest Management Policy

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#### **Related procedures: LD-P1 Sustainable Forest Management Policy and LD-P2 Statement of Operational Commitments.**

The Land Department has developed a Sustainable Forest Management Policy. The policy is included in this package of materials but is also available on the County website.

The policy commits the Land Department to:

- comply with laws and regulations and Voluntary Site Level Forest Management Guidelines;
- continually improve performance; and
- prevent damage to the environment.

The policy also commits the Land Department to sustainable forest management. To achieve sustainable forest management the County has committed to the following:

- Sustainable harvesting;
- Prompt reforestation;
- Protecting water quality;
- Protecting wildlife and promoting biodiversity at the stand and landscape level;
- Protecting areas that have features or conditions that have ecological, geological, cultural, social or historical significance;
- Protecting visual quality;
- Using responsible operators; and
- Public participation and education.

### 2.2 Threatened and Endangered Species

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In our operations you may encounter animals and vegetation that may be threatened, endangered or of special concern.

By state and federal law we are required to protect and report threatened and endangered species. It is everyone's responsibility to be **able to identify these species** and ensure that they are protected.

**A species is considered endangered** if the species is threatened with extinction throughout all or a significant portion of its range within Minnesota.

**A species is considered threatened** if the species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range within Minnesota.

The US Fish and Wildlife Service has developed a list of Minnesota's Federally-Listed Threatened, Endangered, Proposed, and Candidate Species and the Counties in which they can be found. You will note that many of these species can be found in the County. Please review the list with your personnel (<https://www.fws.gov/midwest/endangered/lists/minnesot-spp.html>).

You can find additional information on threatened and endangered species on the DNR website. The website has excellent descriptions and pictures (<http://www.dnr.state.mn.us/ets/index.html>).

### **2.3 Field Emergency Preparedness and Response**

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#### **Related procedure: LD-OP4 Field Emergency Preparedness and Response**

All Land Department contractors are responsible for safety awareness, for being aware of all Land Department Emergency Response Procedures applicable to their work, and working safely.

Field operators must maintain emergency response equipment in field equipment and at the main landing such as first aid kits, communication equipment, MSDS sheets, fire extinguishers and spill kits as listed in LD-OP4. Chemical applicators must carry the personal protective equipment required to apply the specific chemical(s) they are handling. Chemical applicators must also ensure that in addition to the spill response equipment outlined above they have the appropriate materials to respond to a spill of chemicals they are using, transporting or storing on Land Department Managed Lands.

Part of emergency response is dealing with spills of chemicals or petroleum products. Please ensure that everyone in your organization that works on Land Department managed lands understands when to report a spill and what actions can be taken. Specific information is found in LD-OP4.

LD-OP4 also covers procedures for response to physical injury or medical emergency, fire response, missing personnel, severe weather or natural disaster.

### **2.4 Fuel Management, Lubricants and other Chemicals**

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#### **Related procedure: LD-OP10 Fuel, Chemical and Waste Management for Field Operators**

The Land Department is committed to ensuring that fuel management and the management of chemicals on its lands complies with legal requirements.

The legal requirements that apply to fuel management and the types and quantities of chemicals we see in forestry operations are the Department of Transportation (DOT) requirements.

A summary of the DOT requirements in the Fuel, Chemical, and Waste Management for Field Operators that is included in the procedure section.

Most operators carry diesel in tanks that have a capacity of less than 119 gallons, lubricants in plastic containers of 5 gallon or less, and other small quantities of chemicals. The rules for these types of quantities and chemicals are as follows:

- Tanks and containers must be correctly labeled;
- Tanks and containers must be in good condition and solidly secured to your vehicle during transport;
- Lubricants, antifreeze, and other materials must be in the original containers; and
- Small amounts of diesel and gasoline must be in appropriate containers.





## **Forms and Resources**

1. Terms & Definitions for Field Operators
2. Responsible Operator Application Form (Form CM1-01)
3. Pre-Work Checklist (Form CMA-03)
4. General Contract Conditions
5. Timber Sale Contract
6. List of Threatened and Endangered Species by County
7. List of Websites with additional information



## **Policies and Procedures**

1. Sustainable Forest Management Policy (LD-P1)
2. Statement of Operational Commitments (LD-P2)
3. Emergency Preparedness and Response (LD-OP4)
4. Prevention of Site Damage (LD-OP9)
5. Fuel, Chemical Management and Waste Management for Field Operators (LD-OP10)